

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: April 13, 2023

SUBJECT: BZA Case 20870 - request for special exception relief pursuant to allow a two-story rear addition, to an existing attached, two-story with cellar, principal dwelling unit in the RF-1 zone.

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception pursuant to Subtitle E § 5201 and Subtitle X § 901:

- E § 205.4 Rear Addition (10 feet max. permitted; 20 feet proposed).
- E § 304.1 Lot Occupancy (60 % max. permitted; 67% proposed)

II. LOCATION AND SITE DESCRIPTION

Address:	1236 Walter Street SE
Applicant:	Amanda and Aaron Meyers
Legal Description:	Square 1015: Lot 226
Ward / ANC:	6/ ANC 6B
Zone:	RF-1
Historic Districts	In the Capitol Hill HD
Lot Characteristics:	The lot is narrow and deep with unremarkable topography.
Existing Development:	2-story with cellar attached single-family brick home.
Adjacent Properties:	Adjacent properties to the east and west are similarly developed.
Surrounding Neighborhood Character:	The neighborhood is primarily developed with two-or-three-story row homes, small apartments, and churches.
Proposed Development:	The Applicants have proposed a home renovation including a two-story rear addition which would extend 8 feet from the rear wall of the home to the west (#1234) and 20 feet from the rear wall of the home to the east (#1238), with which the subject rear wall aligns. The existing rear garage structure would be demolished.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

RF-1 Zone	Regulation	Existing	Proposed ¹	Relief:
Height E § 303	35 ft. max.	25 ft.	No change	None required
Lot Width E § 201	18 ft. min.	14.5 ft.	14.5 ft.	None required
Lot Area E § 201	1,800 sq. ft. min.	1405.3 sq.ft.	1405.3 sq.ft.	None required
Lot Occupancy E § 304	60% max.	66.7 %	67.1 %	Relief requested
Rear Yard E § 306	20 ft. min.	45.9 ft.	31.9 ft.	None required
Rear Yard extension	10 ft	0.0 ft	20 ft.	Relief requested
Side Yard E § 307	None required, but 5 ft. min. if provided	0. ft.	0.ft.	None required
Parking C § 703	1 space	1 space	1 space	None required

IV. ANALYSIS

Subtitle E Chapter 5201 ADDITION TO A BUILDING OR ACCESSORY STRUCTURE

5201.1 For an addition to a principal residential building on a non-alley lot or for a new principal residential building on a substandard non-alley record lot as described by Subtitle C § 301.1, the Board of Zoning Adjustment may grant relief from the following development standards of this subtitle as a special exception, subject to the provisions of this section and the general special exception criteria at Subtitle X, Chapter 9:

- (a) **Lot occupancy** up to a maximum of seventy percent (70%) for all new and existing structures on the lot;*
- (b) **Yards**, including alley centerline setback;*
- (c) **Courts**; and*
- (d) **Pervious surface**.*

The project requires relief from the lot occupancy and rear yard (rear extension) requirements.

5201.2 & 5201.3 not relevant to this application

5201.4 An applicant for special exception under this section shall demonstrate that the proposed addition, new building, or accessory structure shall not have a substantially adverse effect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:

- (a) The light and air available to neighboring properties shall not be unduly affected;*

The rear wall of the house currently aligns with that of #1238 to the east and the proposed addition would extend 20 feet beyond the shared party wall. The addition should not unduly adversely impact the use and enjoyment of the neighboring property. The proposed addition

is well within the permitted height for the zoning, and the existing garage structure would be removed which would lessen some shadows onto the rear yard during the afternoon/evening hours. It is also noted that the neighbor has signed a letter in support of the addition, as shown in [Exhibit 12](#) of the record.

The addition should also not negatively impact the light and air to the neighbor to the west at #1234 as this property has an extension that is currently 12 feet beyond the shared party wall with the Applicant's home. The addition would extend only 8 feet beyond the neighbor's rear wall, and this would be within the 10-foot limit of the Regulations.

(b) The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;

The two-story addition would not have windows along the shared party walls with the abutting residences. This would reduce any potential impact on the privacy of the abutting homes as windows would only face the rear yard of the subject property. An opaque privacy fence would remain along both property lines to maintain privacy between the homes.

(c) The proposed addition or accessory structure, together with the original building, or the new principal building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale, and pattern of houses along the street or alley frontage; and

The proposed addition is not uncommon and would be similar in scale and materials to others in this neighborhood. It would not be visible on the Walter Street frontage as it would not exceed the height of the existing two-story structure.

(d) In demonstrating compliance with paragraphs (a), (b), and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.

Plans, including elevations and sections are included in the record at [Exhibit 6](#) and photos are included at [Exhibit 5](#).

5201.5 The Board of Zoning Adjustment may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.

OP does not anticipate a need for additional treatment beyond that proposed by the Applicant's architect.

5201.6 This section shall not be used to permit the introduction or expansion of a nonconforming use, lot occupancy beyond what is authorized in this section, height, or number of stories, as a special exception..

The addition is proposed to a single-family home, which is a conforming use of this zone.

Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

Grant of relief would be in harmony with the Regulations and Map, as the proposed addition would not result in a building that would be inconsistent with the bulk or intensity of use anticipated in the RF-1 zone.

- (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

As noted above, the use of neighboring property should not be unduly impacted. The height and scale of the addition and the placement of windows at the rear mitigate any potential privacy impacts in the neighbors' properties.

- (c) Subject in specific cases to the special conditions specified in this title.*

As discussed prior to this section.

V. OTHER DISTRICT AGENCIES

The District Department of Transportation's (DDOT's) report is included in the record at Exhibit 19. At the writing of this report, there were no other agency comments.

VI. ADVISORY NEIGHBORHOOD COMMISSION

A report from ANC 6B's had not been added to the record as of the writing of this report.

VII. COMMUNITY COMMENTS

Letters of support from both adjacent neighbors are included at Exhibits 5 and 6. There are no other neighbor comments to date.

Figure 1: Location Map

